



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

SC13

In re application : Michael J. Young et al.
Application No. : 09/913,427
Filed : October 12, 2001
For : INTEGRATION OF TRANSPLANTED NEURAL PROGENITOR
CELLS INTO NEURAL TISSUE OF IMMATURE AND MATURE
DYSTROPHIC RECIPIENTS
Attorney's Docket : ERI-113XX

Group Art Unit:

RECEIVED
DEC 12 2001

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, Washington, D.C. 20231
Nov. 5, 2001.

By: Holliday C. Heine
Holliday C. Heine, Ph.D.
Registration No. 34,346
Attorney for Applicant(s)

* * * * *

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

It is desired to cite for the record in this application the enclosed references listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached Information Disclosure Statement is being filed within three months of the filing date of the above identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 of the above identified application. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

Filed: October 12, 2001

Group Art Unit:

- [X] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- [] a statement under 37 CFR § 1.97(e); or
- [] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- [] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

- [] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

- [] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure

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Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

MICHAEL J. YOUNG ET AL.

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Enclosure
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Date: November 8, 2001

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Form PTO-1449
(REV. 07/01)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY. DOCKET NO.	APPLICATION NO.
ERI-113XX	09/913,427
APPLICANT:	
Michael J. Young et al.	
FILING DATE	GROUP
October 12, 2001	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
	6,184,035	02/06/2001	Csete et al.	435	377	
	6,171,610	01/09/2001	Vacanti et al.	424	426	
	6,165,783	12/26/2000	Weiss et al.	435	325	
	6,117,675	09/12/2000	van der Kooy et al.	435	354	
	6,103,530	08/15/2000	Carpenter	435	405	
	6,093,531	07/25/2000	Bjornson et al.	435	1.1	
	6,071,889	06/06/2000	Weiss et al.	514	44	
	6,033,906	03/07/2000	Anderson	435	325	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	WO 00/47718	08/17/2000	WIPO	C12N	5/00	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Tropepe, V. et al., "Retinal Stem Cells in the Adult Mammalian Eye", Science, 287:2032-2036 (Mar. 2000)
Bjornson, C.R.R. et al., "Turning Brain into Blood: A Hematopoietic Fate Adopted by Adult Neural Stem Cells in Vivo.", Science, 283:534-537 (Jan. 1999)
Gage, F.H. et al., "Survival and Differentiation of Adult Neuronal Progenitor Cells Transplanted to the Adult Brain", Proc. Natl. Acad. Sci. USA 92:11879-11883 (Dec. 1995)
Ahmad, I. et al., "In Vitro Analysis of a Mammalian Retinal Progenitor that Gives Rise to Neurons and Glia", Elsevier Sci. 83:1-10 (1999)
Takahashi, M., "Transplantation of Neural Stem Cells into Injured Adult Rat Retina", J. of Jpn. Ophthalmol. Soc., 102:174 (Abstract III-2-19) (Feb. 1998)

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



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	6,001,654	12/14/1999	Anderson et al.	435	377	
	5,981,165	11/09/1999	Weiss et al.	435	4	
	5,980,885	11/09/1999	Weiss et al.	424	93.21	
	5,968,829	10/19/1999	Carpenter	435	467	
	5,958,767	09/28/1999	Snyder et al.	435	368	
	5,935,849	08/10/1999	Schinistine et al.	435	325	
	5,928,947	07/27/1999	Anderson et al.	435	455	
	5,861,283	01/19/1999	Levitt et al.	435	69.4	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Nishikawa, A. et al., "Clonal Adult Hippocampus-Derived Stem Cells Can Migrate Into Injured Adult Rat Retina", Retinal Transplantation II, 39(4):519 (Abstract 77) (March 1998)
Flax, J.D. et al., "Engraftable Human Neural Stem Cells Respond to Developmental Cues, Replace Neurons, and Express Foreign Genes", Natural Biotech., 16:1033-1039 (Nov. 1998)
Eriksson, P.S. et al., "Neurogenesis in the Adult Human Hippocampus", Nature Med., 4(11):1207, 1313-1317 (Nov. 1998)
Takahashi, M. et al., "Widespread Integration and Survival of Adult-Derived Neural Progenitor Cells in the Developing Optic Retina", Molecular and Cellular Neurosci., 12:340-348 (1998)
Palmer, T.D. et al., "The Adult Rat Hippocampus Contains Primordial Neural Stem Cells", Molecular and Cellular Neurosci., 8:389-404 (1997)

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EXAMINE R INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
	5,858,747	01/12/1999	Schinistine et al.	435	182	
	5,853,717	12/29/1998	Schinistine et al.	424	93.21	
	5,851,832	12/22/1998	Weiss et al.	435	368	
	5,849,553	12/15/1998	Anderson et al.	435	172.3	
	5,843,431	12/01/1998	Schinistine et al.	424	93.21	
	5,840,576	11/24/1998	Schinistine et al.	435	325	
	5,833,979	11/10/1998	Schinistine et al.	424	93.21	
	5,824,489	10/20/1998	Anderson et al.	435	7.21	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

	Jensen, A.M. et al., "Continuous Observation of Multipotential Retinal Progenitor Cells in Clonal Density Culture", <i>Devel. Biology</i> , 188:267-279 (1997)
	Shihabuddin, L.S. et al., "FGF-2 is Sufficient to Isolate Progenitors Found in the Adult Mammalian Spinal Cord", <i>Experimental Neurology</i> , 148:577-586 (1997)
	Suhonen, J.O. et al., "Differentiation of Adult Hippocampus-Derived Progenitors into Olfactory Neurons in Vivo", <i>Nature</i> , 383:624-627 (Oct. 1996)
	Shihabuddin, L.S. et al., "The Adult CNS Retains the Potential to Direct Region-Specific Differentiation of a Transplanted Neuronal Precursor Cell Line", <i>J. of Neursci.</i> , 15(10):6666-6678 (Oct. 1995)

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	5,795,790	08/18/1998	Schinstine et al.	435	382	
	5,776,747	07/07/1998	Schinstine et al.	435	177	
	5,753,506	05/19/1998	Johe	435	377	
	5,750,376	05/12/1998	Weiss et al.	435	69.52	
	5,693,482	12/02/1997	Anderson et al.	435	29	
	5,672,499	09/30/1997	Anderson et al.	435	240.4	
	5,654,183	08/05/1997	Anderson et al.	435	172.3	

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